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7 Attorneys for Plaintiffs

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9 UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION  
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11 FABIO PETROLINO; M.P., a minor,  
12 through her guardian ad litem, Ana  
Petrolino; ANDRELINA SILVA;  
13 ANGELA PETROLINO; and ALEX  
PETROLINO,

14 Plaintiffs,

15 v.

16 CITY AND COUNTY OF SAN  
17 FRANCISCO, a municipal corporation;  
EVE ZEFF, ROEL LAPITAN and  
18 RAPHROGER GONZAGA, Registered  
Nurses, San Francisco Department of  
19 Public Health; MICHAEL MOHN and  
RUDY ZAMORA, Sheriff's Deputies, San  
20 Francisco Sheriff's Department;  
HEALTHRIGHT360, a California not-for-  
21 profit corporation; LAUREN ERICKSON,  
Mental Health Provider, HealthRight360;  
22 MARY LEFEVRE, Marriage and Family  
Therapist, HealthRight360; NICK  
23 CRISPINO, Associate Social Worker,  
HealthRight360; DANIEL MITCHELL,  
24 Officer, California Highway Patrol; and  
DOES 1 through 50, inclusive,

25 Defendants.  
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Case No. 16-cv-2946-RS

**STIPULATION AND ~~PROPOSED~~  
ORDER FOR LEAVE TO FILE THIRD  
AMENDED COMPLAINT**

Judge: Hon. Richard Seeborg

Trial Date: February 26, 2018

**STIPULATION**

WHEREAS, Plaintiffs have discovered the true identities of Defendants DOE 3 and DOE 4 through review of documents produced by Defendant City and County of San Francisco in mid-December 2016, and seek to amend the Second Amended Complaint to substitute Sheriff's Deputy Kevin O'Shea into the action in place of DOE 3 and Sheriff's Deputy Andrew Martinez into the action in place of DOE 4;

WHEREAS, Plaintiffs have agreed to dismiss all claims brought against Defendants Roel Lapitan, Mary Lefevre, and Raphroger Gonzaga with prejudice, with all parties to bear their own attorneys' fees and costs with regard to claims against Roel Lapitan, Mary Lefevre, and Raphroger Gonzaga;

WHEREAS, Plaintiffs' filing of an amended complaint will not delay compliance with any of the case management deadlines set by the Court;

NOW, THEREFORE, IT IS HEREBY STIPULATED by and between the parties hereto through their respective counsel of record that Plaintiffs may, pursuant to Rule 15(a)(2) of the Federal Rules of Civil Procedure, file an amended complaint in the form of the Third Amended Complaint attached hereto as Exhibit A.

IT IS SO STIPULATED.

Respectfully submitted,

DATED: January 30, 2017

ROSEN BIEN GALVAN & GRUNFELD LLP

By: /s/ Benjamin Bien-Kahn  
Benjamin Bien-Kahn  
*Attorney for Plaintiffs*

1 DATED: January 30, 2017

DENNIS J. HERRERA  
City Attorney  
CHERYL ADAMS  
Chief Trial Deputy

4 By: /s/ Mark D. Lipton  
Mark D. Lipton  
Deputy City Attorney  
Attorneys for Defendants City and County of  
San Francisco, Eve Zeff, Roel Lapitan,  
Raphroger Gonzaga, Michael Mohn, Rudy  
Zamora, Kevin O'Shea, and Andrew Martinez

9 DATED: January 30, 2017

GORDON & REES LLP

11 By: /s/ Kathleen M. Rhoads  
Kathleen M. Rhoads  
Attorneys for Defendants HealthRight 360, a  
California nonprofit, Lauren Erickson, Mary  
Lefevre, and Nick Crispino

15 DATED: January 30, 2017

KAMALA D. HARRIS  
Attorney General of California  
JOHN P. DEVINE  
Supervising Deputy Attorney General

18 By: /s/ Micah C.E. Osgood  
Micah C.E. Osgood  
Deputy Attorney General  
Attorneys for Defendant Daniel Mitchell

**ECF Attestation**

22 I, Benjamin Bien-Kahn, attest that concurrence in the e-filing of this document has  
23 been received from the above signatories, in compliance with Civil Local Rule 5-1(i)(3).

24 DATED: January 30, 2017


25 By: /s/ Benjamin Bien-Kahn  
Benjamin Bien-Kahn

**~~PROPOSED~~ ORDER**

Based on the written stipulation of the parties and good cause appearing, Plaintiff may file an amended complaint in the form the Third Amended Complaint, attached hereto as Exhibit A.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 2/2, 2017

  
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The Honorable Richard Seeborg  
United States District Court Judge